

Before the  
Copyright Royalty Board  
United States Copyright Office  
Washington, D.C. 20540

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JUN 09 2009

Copyright Royalty Board

In the Matter of )

)  
Distribution of DART Sound Recordings )  
Fund/Featured Artists' Subfund Royalties )  
For 2008 )

Docket No.

2009-3 CRBDD 2008

**NOTICE OF SETTLEMENT AND REQUEST FOR DISTRIBUTION OF THE 2008  
SOUND RECORDINGS FUND ROYALTIES**

The Alliance of Artists and Recording Companies ("AARC"), on behalf of itself and Mary-Ann Brandon, Herman Kelly, Fred James, Jeffrey Jacobson Joint Claim (Cosmic Daydream, VP Records, Sylar, The Process, J Rad, Barry Cohen, Joel Evan, Kettle Joe, Nation, John Kazian, Neptune, Vanessa Thomas), and JC Records (collectively referred to as the "Featured Artist Claimants"), submits this notice reporting that the 2008 Audio Home Recording Act of 1992 ("AHRA")/Sound Recordings Fund/Featured Artists' Subfund Distribution proceeding is settled. Therefore, the Featured Artist Claimants request distribution of the entire 2008 Featured Artists' Subfund, as follows:

**Status of Settlement**

AARC pursued and obtained universal settlement with all seventeen (17) of the Featured Artist Claimants, as listed below:

## **Featured Artist Claimants**

Alliance of Artists and Recording Companies

\*Mary-Ann Brandon

\*Herman Kelly

\*Fred James

Jeffrey Jacobson Joint Claim:

Kosmic Daydream

VP Records

Sylar

The Process

J Rad

Barry Cohen

Joel Evan

Kettle Joe

Nation

John Kazian

Neptune

Vanessa Thomas

James Cannings (JC Records)

\* These claimants are signed on with AARC. Therefore, AARC represents them in the current and all future AHRA Sound Recording Fund proceedings.

**All other claimants have settled with AARC only with regard to the 2008 proceeding.**

Pursuant to the AHRA, distribution of 2008 Sound Recordings Fund/Featured Artists' Subfund royalties is warranted because these royalties are not in controversy. 17 U.S.C. § 1007(b). The Featured Artist Claimants have agreed that the 2008 Sound Recording Fund/Featured Artists' Subfund royalties should be distributed to a single agent – AARC, for further distribution pursuant to the settlement agreements. Agreements as to the proportionate allocation of royalties and designation of a common agent to receive payment on behalf of Featured Artist Claimants are permitted by Section 1007. 17 U.S.C. § 1007 (a)(2).

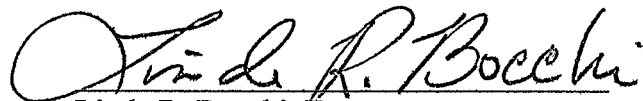
### **Conclusion**

The Featured Artist Claimants agree that settlements were reached in an attempt to minimize the costs of the 2008 Sound Recordings Fund/Featured Artists' Subfund distribution

proceeding. Consequently, the Featured Artist Claimants have agreed that the terms of the settlement agreements have no precedential effect on any future AHRA proceedings.

WHEREFORE, for the reasons set forth above, the Featured Artist Claimants respectfully request that the Copyright Royalty Board make a prompt distribution of the 2008 DART Sound Recordings Fund/Featured Artists Subfund royalties to AARC, as agent for the Featured Artist Claimants.

Respectfully submitted,  
On Behalf of Featured Artist Claimants

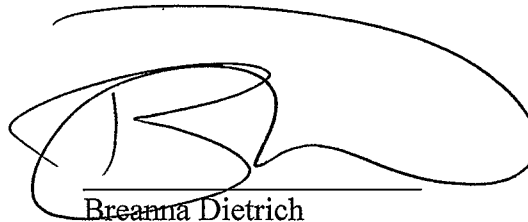
A handwritten signature in cursive script, reading "Linda R. Bocchi". The signature is written in dark ink and is positioned above the printed name and contact information.

Linda R. Bocchi, Esq.  
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June 9, 2009

**CERTIFICATE OF SERVICE**

I, Breanna Dietrich, Deputy Director of Royalty Administration of the Alliance of Artists and Recording Companies, certify that on this June 9, 2009, a copy of the foregoing "Notice of Settlement and Request for Distribution of the 2008 Sound Recordings Fund Royalties" was served, by the designated delivery method, on the following parties:

  
Breanna Dietrich

**SETTLING PARTIES BY EMAIL AND STANDARD MAIL:**

*Kosmic Daydream	*John Kazian
*The Process	*Neptune
*Barry Cohen	*Zen Tricksters
*Kettle Joe	*Joel Evan
*Sylar	*Nation
*Vanessa Thomas	*VP Records
*J Rad	

\*c/o Jeffrey Jacobson  
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